

JAN 22 2008

SMITH HOPEN

INTELLECTUAL PROPERTY LAW

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Fax INTELLECTUAL PROPERTY

To: U.S. Patent & Trademark Office	From: Ronald E. Smith
Attn: Agustin Bello - Art Unit 2613	Client: 1372.08.PRWOUS
Fax: (571) 273-8300	Pages: 19 including coversheet
Phone: (571) 272-3026	Date: January 22, 2008
Re: USSN 10/604,182	CC: University of South Florida

Dear Examiner Bello:

In response to the non-final office action mailed October 26, 2007, we enclose the following:

- 1) Amendment Transmittal with Certificate of Facsimile Transmission under 37 CFR 1.8(a) dated January 22, 2008 - (2 pages) ; and
- 2) Amendment C with Certificate of Facsimile Transmission under 37 CFR 1.8(a) dated January 22, 2008 - (16 pages).

Very respectfully,



Ronald E. Smith
USPTO Reg. No. 28,761

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JAN 22 2008

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/604,182 Confirmation No. 1181

Applicants: : Dennis K. Killinger

Filed: : 06/30/2003

TC/A.U. : 2613

Examiner : Agustin Bello

Docket No. : 1372.08.PRWOUS

Customer No. : 21901

Transmitted to Central Fax at (571) 273-8300
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

AMENDMENT TRANSMITTAL

1. Transmitted herewith is an amendment for this application.

STATUS

2. Applicant is an independent inventor.

EXTENSION OF TERM

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply. Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

 CERTIFICATE OF FACSIMILE TRANSMISSION
 (37 C.F.R. 1.10)

HEREBY CERTIFY that this correspondence is being transmitted by facsimile to the United States Patent and Trademark Office, Art Unit 2613, Attn: Agustin Bello, (571) 273-8300 on January 22, 2008.

Dated: January 22, 2008



Lauren Reeves

(Amendment Transmittal—page 1)

JAN 22 2008

FEE FOR CLAIMS

4. The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

(Col. 1)		(Col. 2)		(Col. 3) SMALL ENTITY		
Claims	Remaining After Amendment	Highest No. Previously Paid For	Present Extra	Rate	Addit. Fee	
Total	23	Minus	33	= 0	x \$25 =	\$0
Indep.	5	Minus	5	= 0	x \$100 =	\$0
First Presentation of Multiple Dependent Claim				+ \$180 =	\$0	
						Total Addit. Fee \$0

- * If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.
- ** If the "Highest No. Previously Paid For" IN THIS SPACE (Column 2, Row 1) is less than 20, enter "20".
- *** If the "Highest No. Previously Paid For" IN THIS SPACE (Column 2, Row 2) is less than 3, enter "3".
- The "Highest No. Previously Paid For" (Total or Indep.) is the highest number found in the appropriate box in Col. 1 of a prior amendment or the number of claims originally filed.

No additional fee for claims is required.

Very respectfully,



SIGNATURE OF PRACTITIONER

Reg. No. 28,761
Tel. No.: (813) 925-8505

Ronald E. Smith
Smith & Hopen, P.A.
180 Pine Avenue North
Oldsmar, FL 34677
Attorneys for Applicant

(Amendment Transmittal—page 2)

JAN 22 2008

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/604,182 Confirmation No. 1181
Applicant: : Dennis K. Killinger
Filed: : 06/30/2003
TC/A.U. : 2613
Examiner : Augustin Bello

Docket No. : 1372.08.PRWOUS
Customer No. : 21901
For : Open-Path/Free-Space Optical Communication System and
Method Using Reflected or Backscattered Light

Faxed to Central Fax at (571) 273-8300
Hon. Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT C

Introductory Comments

Sir:

In response to the non-final Examiner's Action mailed 10/26/2007, having a shortened statutory period for response set to expire 01/26/2008, the above-identified patent application is amended a third time as follows:

Amendments to the Claims are reflected in the listing of claims that begins on page 2 of this paper.

Remarks begin on page 9 of this paper.